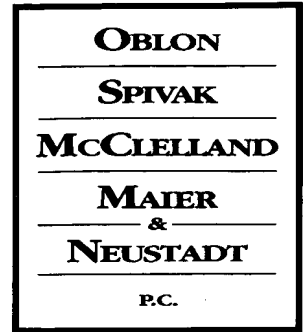




Docket No.: 214182US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 09/961,375

Applicants: Tsunayuki OWA

Filing Date: September 25, 2001

For: COMMUNITY SERVICE OFFERING APPARATUS,
COMMUNITY SERVICE OFFERING METHOD,
PROGRAM STORAGE MEDIUM, AND
COMMUNITY SYSTEM

Group Art Unit: 3627

Examiner: FISCHETTI, J. A.

SIR:

Attached hereto for filing are the following papers:

RESTRICTION RESPONSE

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 214182US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TSUNAYUKI OWA : EXAMINER: FISCHETTI, J. A.
SERIAL NO: 09/961,375 :
FILED: SEPTEMBER 25, 2001 : GROUP ART UNIT: 3627
FOR: COMMUNITY SERVICE :
OFFERING APPARATUS, COMMUNITY
SERVICE OFFERING METHOD,
PROGRAM STORAGE MEDIUM, AND
COMMUNITY SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated April 18, 2005, Applicant provisionally elects with traverse Group I, Claims 1-8, 25, 26, and 31,¹ for examination on the merits in the present application. Applicant makes this election with the understanding that Applicant is not prejudiced against filing one or more divisional applications covering the non-elected claims.

Further, Applicants traverse the restriction because, according to MPEP § 803:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the Office Action has identified separate classifications, Applicant respectfully submits that a search and examination of the entire application would not place a *serious*

¹ Form PTOL-326 of the Office Action incorrectly indicates that Claim 25 is withdrawn from consideration. Claim 25 was provisionally elected by the Response to Restriction Requirement filed August 17, 2004.

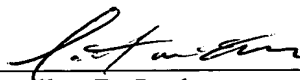
Application No. 09/961,375
Reply to Office Action mailed April 18, 2005

burden on the Examiner; whereas it would be a serious burden on Applicant to prosecute and maintain separate applications on the restricted inventions.

Consequently, for the above-stated reasons, Applicant respectfully requests that the Restriction Requirement be withdrawn and a full examination on the merits of Claims 1-8 and 25-31 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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